



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 28, 2008

BY HAND

PLEASE FILE UNDER SEAL

Honorable James C. Francis IV
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Viktor Bout
08 Cr. 365

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 4/28/08
DATE FILED: 4/28/08

Dear Judge Francis:

The above-referenced Indictment, which charges the defendant with (1) conspiring to kill United States nationals; (2) conspiring to kill United States officers and employees; (3) conspiring to acquire and use anti-aircraft missiles; and (4) conspiring to provide material support to a foreign terrorist organization, remains under seal. The defendant was arrested on March 6, 2008 in Bangkok, Thailand. In connection with the Government's efforts to seek the extradition of the defendant from Thailand, the Government needs to provide certified copies of the Indictment and the arrest warrant to the Government of Thailand as part of the extradition application for the defendant. However, the Government is not at liberty to disclose the existence of the charges contained in the Indictment since they are sealed. Accordingly, the Government respectfully requests that the Court enter an Order, in the form proposed below, unsealing the charges against the defendant for the purpose of permitting the Government to provide certified copies of the Indictment and the arrest warrant to the Government of Thailand as part of the extradition application for the defendant. The Government respectfully requests that the Indictment remain sealed in all other respects.

Finally, because this letter discusses matters relating to an ongoing investigation, the Government respectfully requests that this letter be filed under seal. For the Court's

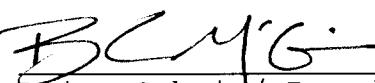
Honorable James C. Francis IV
April 28, 2008
Page 2

convenience, the Government has set forth at the foot of this letter a proposed Order granting the relief requested herein. The Government stands ready to supply upon request any additional information the Court may require.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:



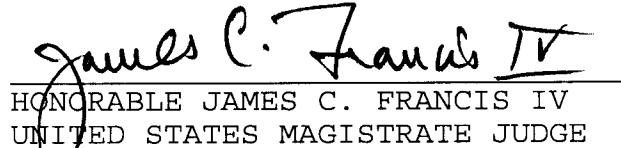
Anjan Sahni / Brendan R. McGuire
Assistant United States Attorneys
(212) 637-2491 / 2220

For the reasons set forth above, IT IS, on this th day of April 2008,

ORDERED, that Indictment 08 Cr. 365 be and hereby is unsealed, only to the extent that the Government may inform the Government of Thailand of the existence and nature of the charges for the purpose of seeking the defendant's extradition; and it is further

ORDERED, that this Order, and the accompanying letter of the Government, are hereby sealed and shall remain so until further Order of this Court.

Dated: New York, New York
April 27, 2008


HONORABLE JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK